

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD)(SN) ECF Case

**ORDER OF PARTIAL FINAL DEFAULT JUDGMENTS ON BEHALF OF
BURNETT/IRAN PLAINTIFFS IDENTIFIED AT EXHIBITS A AND B**

(BURNETT / IRAN XXVI)

Upon consideration of the evidence and arguments submitted by Plaintiffs identified in Exhibits A and B to this Order, plaintiffs in *Burnett, et al. v. Islamic Rep. of Iran, et al.*, Case No. 15-cv-9903 (GBD)(SN), who are each a spouse, parent, child, or sibling (or the estate of a spouse, parent, child, or sibling) of a victim killed in the terrorist attacks on September 11, 2001 (as identified on Exhibit A), or the estate of an individual who was killed in the terrorist attacks on September 11, 2001 (as identified on Exhibit B), and the Judgment by Default for liability only against the Islamic Republic of Iran, the Islamic Revolutionary Guard Corps, and the Central Bank of the Islamic Republic of Iran (collectively, the “Iran Defendants”) entered on January 31, 2017 (15-cv-9903, ECF No.85), together with the entire record in this case, it is hereby;

ORDERED that service of process was effected upon the Iran Defendants in accordance with 28 U.S.C. § 1608(a) for sovereign defendants and 28 U.S.C. § 1608(b) for agencies and instrumentalities of sovereign defendants;

ORDERED that partial final judgment is entered against the Iran Defendants and on behalf of the Plaintiffs in *Burnett, et al. v. Islamic Rep. of Iran, et al.*, Case No. 15-cv-9903 (GBD)(SN), as identified in the attached Exhibit A, who are each a spouse, parent, child, or sibling (or the estate

of a spouse, parent, child, or sibling) of individuals killed in the terrorist attacks on September 11, 2001, as indicated in Exhibit A, and it is

ORDERED that Plaintiffs identified in Exhibit A are awarded: solatium damages of \$12,500,000 per spouse, \$8,500,000 per parent, \$8,500,000 per child, and \$4,250,000 per sibling, as set forth in Exhibit A; and it is

ORDERED that partial final judgment is entered against the Iran Defendants and on behalf of the Plaintiffs in *Burnett, et al. v. Islamic Rep. of Iran, et al.*, Case No. 15-cv-9903 (GBD)(SN), as identified in the attached Exhibit B, who are each the estate of a victim of the terrorist attacks on September 11, 2001, as indicated in Exhibit B, and it is

ORDERED that Plaintiffs identified in Exhibit B are awarded: compensatory damages for decedents' pain and suffering in an amount of \$2,000,000 per estate, as set forth in Exhibit B (to the extent not previously so awarded); and it is

ORDERED that Plaintiffs identified in the expert reports attached as Exhibit C to the Declaration of John M. Eubanks, dated May 18, 2022 (and identified in Exhibit B), are awarded economic damages as set forth in Exhibit B and as supported by the expert reports and analyses submitted as Exhibit C of the Eubanks Declaration, and it is

ORDERED that Plaintiffs identified in Exhibits A and B are awarded prejudgment interest of 4.96 percent per annum, compounded annually, running from September 11, 2001 until the date of judgment; and it is

ORDERED that Plaintiffs identified in Exhibits A and B may submit an application for punitive damages, economic damages, or other damages (to the extent such awards have not previously been ordered) at a later date consistent with any future rulings made by this Court on this issue, and it is

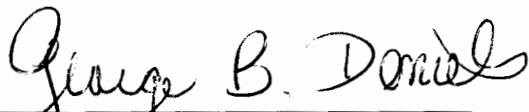
ORDERED that the remaining *Burnett/Iran* Plaintiffs not appearing on Exhibits A or B, may submit in later stages applications for damages awards, and to the extent they are for solatium or by estates for compensatory damages' for decedents' pain and suffering from the September 11 attacks, they will be approved consistent with those approved herein for the Plaintiffs appearing on Exhibits A and B.

Furthermore, the Court respectfully directs the Clerk of the Court to terminate the motion at ECF No. 8029 in 03-MDL-1570 (GBD)(SN) and ECF No. 597 in 15-cv-9903 (GBD)(SN).

Dated: New York, New York

 JUL 19 2022

SO ORDERED:



GEORGE B. DANIELS
United States District Judge

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EXHIBIT A												
#	9/11 DECEDENT'S FIRST NAME	9/11 DECEDENT'S MIDDLE NAME	9/11 DECEDENT'S LAST NAME	SUFFIX	PLAINTIFF'S FIRST NAME	PLAINTIFF'S MIDDLE NAME	PLAINTIFF'S LAST NAME	SUFFIX	RELATIONSHIP TO DECEDENT	SOLATUM	ECF # OF ANY PRIOR DAMAGES AWARDS IN MDL1570	ECF # ADDING PLAINTIFF TO ACTION
28	Gregory	T.	Spagnoletti		Maria	S.	Spagnoletti		Parent	\$ 8,500,000.00	N/A	472
29	Michael	M.	Taylor		James	II.	Taylor		Parent	\$ 8,500,000.00	N/A	53
30	Eugene	Michael	Whelan		Christopher	Michael	Whelan		Sibling	\$ 4,250,000.00	N/A	435
31	Myrna		Yaskulka		Jeffrey		Pearl (Estate of)		Sibling	\$ 4,250,000.00	N/A	588
									TOTAL:	\$ 270,500,000.00		

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EXHIBIT B										
#	9/11 DECEDENT'S FIRST NAME	9/11 DECEDENT'S MIDDLE NAME	9/11 DECEDENT'S LAST NAME	SUFFIX	DECEDENT PAIN AND SUFFERING	DECEDENT PAIN AND SUFFERING PREVIOUSLY FILED	DECEDENT ECONOMIC LOSS	TOTAL FINAL JUDGMENT AMOUNT FOR ESTATE	ECF NO. OF ANY PRIOR DAMAGES AWARDS IN MDL1570	ECF NO. - PERSONAL REPRESENTATIVE (PARAGRAPH IN AMENDED COMPLAINT-- OR OTHER NOTED PLEADING--WHERE CLAIMS APPEAR)
1	Eustace	Patrick	Bacchus		\$ 2,000,000.00			\$ 2,000,000.00	n/a	ECF#53, ¶2051, Juana Bacchus
2	Brett	T.	Bailey			\$ 2,000,000.00	\$ 18,897,958.00	\$ 20,897,958.00	ECF#5975	ECF#53, ¶2127, Judith A. Bailey
3	Gregory	Joseph	Buck			\$ 2,000,000.00	\$ 8,854,741.00	\$ 10,854,741.00	ECF#5975	ECF#53, ¶662, Catherine M. Buck
4	Constantine		Economos		\$ 2,000,000.00			\$ 2,000,000.00	n/a	ECF#53, ¶1418, Audrey Economos
5	David	Reed	Gambon-Brandhorst		\$ 2,000,000.00		\$ 16,034,834.00	\$ 18,034,834.00	n/a	ECF#53, ¶3067, David B. Brandhorst; ECF#7972, David B. Brandhorst
6	Douglas	Alan	Gowell		\$ 2,000,000.00		\$7,604,617.00	\$ 9,604,617.00	n/a	ECF#53, ¶3058, Barbara Gowell
7	Steven	Michael	Hagis		\$ 2,000,000.00		\$28,394,564.00	\$ 30,394,564.00	n/a	ECF#53, ¶1400, Gloria Hagis
8	Dana	Rey	Hannon		\$ 2,000,000.00			\$ 2,000,000.00	n/a	ECF#53, ¶1739, Thomas Hannon; Successor PR Kyle F. Bickford
9	Waleed		Iskandar			\$ 2,000,000.00	\$14,530,520.00	\$ 16,530,520.00	ECF#5975	ECF#53, ¶3418, May Marconet

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EXHIBIT B									
#	DECEDENT'S FIRST NAME	9/11 DECEDENT'S MIDDLE NAME	9/11 DECEDENT'S LAST NAME	SUFFIX	DECEDENT PAIN AND SUFFERING PREVIOUSLY FILED	DECEDENT ECONOMIC LOSS	TOTAL FINAL JUDGMENT AMOUNT FOR ESTATE	ECF NO. OF ANY PRIOR DAMAGES AWARDS IN MDL1570	ECF NO. - PERSONAL REPRESENTATIVE (PARAGRAPH IN AMENDED COMPLAINT-- OR OTHER NOTED PLEADING--WHERE CLAIMS APPEAR)
10	Maria		LaVache		\$ 2,000,000.00		\$ 2,000,000.00	n/a	ECF#53, ¶2319, Joseph L. Lavache; Successor PR Mary Jane LaVache
11	John	Joseph	Murray	Jr.	\$ 2,000,000.00		\$ 2,000,000.00	n/a	ECF#53, ¶293, Spouse Doe AP19; see Order granting Motion to Substitute, ECF# 582, substituting John Murray as successor PR for the estate John Murray, Jr.
12	John	Ballantine	Niven		\$ 2,000,000.00		\$ 2,000,000.00	n/a	ECF#53, ¶1426, Ellen Niven
13	Joseph	Francis	Sacerdote		\$ 2,000,000.00	\$ 9,479,496.00	\$ 11,479,496.00	n/a	ECF#53, ¶3112, Arlene Sacerdote
14	Eugene	Michael	Whelan		\$ 2,000,000.00	\$9,084,227.00	\$ 11,084,227.00	ECF#7188	ECF#53, ¶1940, Alfred L. Whelan, Sr.
						TOTAL:	\$ 140,880,957.00		